

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**[PROPOSED] ORDER GRANTING TRUSTEE’S FORTY-FIFTH OMNIBUS MOTION
TO AFFIRM THE TRUSTEE’S CLAIMS DETERMINATIONS AND
OVERRULE OBJECTIONS THAT APPEAR TO RAISE FACTUAL ISSUES**

Upon consideration of the motion (the “Motion”) [Docket No. __], by Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the chapter 7 estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), in the above-captioned SIPA¹ liquidation proceeding seeking to have the Court affirm his claims determinations and overrule the related objections that appear to raise customer-specific factual issues (the “Objections”); and the Claims to be disallowed and Objections to be overruled are identified in Exhibit A to the Declaration of Vineet Sehgal in Support of the Motion (the “Sehgal Declaration”), [Docket No. __]; and the net loser Claims determinations to be affirmed and Objections to be overruled are identified in Exhibit B to the

¹ All capitalized terms not defined herein shall have the meaning ascribed in the Motion.

Sehgal Declaration; and due and proper notice of the Motion having been given and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Motion as set forth herein is in the best interests of the Debtor, its estate, creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Motion is granted to the extent provided herein; and it is further

ORDERED that the Claims listed on Exhibit A hereto are disallowed; and it is further

ORDERED that the Trustee's Claims determinations regarding the Claims listed on Exhibits A and B hereto are affirmed; and it is further

ORDERED that the Objections listed on Exhibits A and B hereto are overruled; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

IN RE: BLMIS. CASE NO: 08-01789 (CGM)

EXHIBIT A – CLAIMS AND OBJECTIONS

Objecting Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Glenn Rechler and Tracey Weaver	007218 007504	2839	Becker & Poliakoff, LLP	Glenn Rechler and Tracey Weaver J/T WROS	1R0242
Gross Associates C/O Herb Gross	002972	684 942	Phillips Nizer LLP	Gross Associates C/O Herb Gross	1ZA170
Lawrence Roth and Jeannette Roth	011378	2378	Becker & Poliakoff, LLP	Lawrence Roth & Jeannette Roth TIC	1R0159
The D Stone Industries Inc. Profit Sharing Plan	014303	3095	Becker & Poliakoff, LLP	D Stone Industries Inc. Profit Sharing Plan	1S0201

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EXHIBIT B – CLAIMS AND OBJECTIONS

Objecting Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Davina Greenspan Lori Friedman JT WROS	001974 008425	864	SNR Denton US LLP	Davina Greenspan Lori Friedman JT WROS	1ZA194
Mark Rechler and Jacqueline Rechler	004305	4459	Becker & Poliakoff, LLP	Mark Rechler & Jacqueline Rechler J/T WROS	1R0086
Rabb Partners	008703 008805	2074	Becker & Poliakoff, LLP	Rabb Partners	1CM554
Robert J Vogel &/OR Barbara J Vogel J/T WROS	001002	424	Phillips Nizer LLP	Robert J Vogel &/OR Barbara J Vogel J/T WROS	1ZA931